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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/649,042

08/26/2003

Masayuki Chatani

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EXAMINER

RUDOLPH, ISHMAEL A

ART UNIT

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PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/649,042	Applicant(s) CHATANI, MASAYUKI	
	Examiner ISHMAEL RUDOLPH	Art Unit 4194	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 08/26/2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-23 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-23 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date <u>12/13/2004</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections – 35 USC § 102

1. The following is a quotation of 35 U.S.C. 102(b) which forms the basis for all anticipation rejections set forth in this Office action:

(b) The invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than a year prior to the date of the application for patent in the United States.

2. Claims 1-4, 6, 9-11, 13, 16, 18-19 and 23 are rejected under 35 U.S.C. 102(b) as being unpatentable over Chatani, et al. (EP 1229476).

3. As to Claim 1, Chatani discloses:

“A method for controlling access to computer readable media (¶ 0006), comprising the operations of:

- receiving a digital authentication ticket (¶ 0023) from a client device using a computer system (¶ 0024);
- having particular computer readable content, wherein the digital authentication ticket includes a digital code (¶ 0023-0024);
- determining whether the digital authentication ticket corresponds to the particular computer readable content (¶ 0023-0024);
- allowing access to the particular computer readable content when the digital authentication ticket corresponds to the particular computer readable content (¶ 0024); and
- preventing access to the particular computer readable content when the digital authentication ticket does not correspond to the particular computer readable content (¶ 0052).”

4. As to Claim 2, Chatani discloses:

“A method as recited in claim 1, further comprising the operation of transmitting the digital authentication ticket to the client device in response to receiving a request for the digital authentication ticket (§ 0026).”

5. As to Claim 3, Chatani discloses:

“A method as recited in claim 2, further comprising the operation of processing the request for the digital authentication ticket, wherein the processing includes charging a fee to a user (§ 0039).”

6. As to Claim 4, Chatani discloses:

“A method as recited in claim 2, wherein the request is received using a payment server located remotely from the client device (§ 0052; Fig. 1 ele. 100, 120).”

7. As to Claim 6, Chatani discloses:

“A method as recited in claim 1, wherein the computer system is located locally to the client device (§ 0026).”

8. As to Claim 9, Chatani discloses:

“A system for controlling access to computer readable media, comprising:

- a payment server capable of receiving a request for a digital authentication ticket corresponding to particular computer readable content, the payment server further capable of transmitting the digital authentication ticket to the client device (§ 0039); and

- a computer system having the particular computer readable content, the computer system capable of receiving the digital authentication ticket from the client device (§ 0052),

wherein the computer system includes program instructions that prevent access to the particular computer readable content when the digital authentication ticket does not correspond to the particular computer readable content (§ 0053).”

9. As to Claim 10, Chatani discloses:

“A system as recited in claim 9, wherein the payment server processes the request for the digital authentication ticket, the processing including charging a fee to a user (§ 0039).”

10. As to Claim 11, Chatani discloses:

“A system as recited in claim 9, wherein the payment server is located remotely from the client device (§ 0039).”

11. As to Claim 13, Chatani discloses:

“A system as recited in claim 9, wherein the computer system is located locally to the client device (§ 0052).”

12. As to Claim 16, Chatani discloses:

“A system as recited in claim 9, wherein the computer readable content is stored on a computer readable medium (§ 0049).”

13. As to Claim 18, Chatani discloses:

“A computer program embodied on a computer readable medium for controlling access to computer readable media, comprising:

- computer instructions that receive a digital authentication ticket from a client device using a computer system having particular computer readable content, wherein the digital authentication ticket includes a digital code (§ 0052);
- computer instructions that determine whether the digital authentication ticket corresponds to the particular computer readable content (§ 0052); and
- computer instructions that prevent access to the particular computer readable content when the digital authentication ticket does not correspond to the particular computer readable content (§ 0052)."

14. As to Claim 19, Chatani discloses:

"A computer program as recited in claim 18, wherein the digital authentication ticket is transmitted from a payment server to the client device in response to receiving a request for the digital authentication ticket (§ 0038)."

15. As to Claim 23, Chatani discloses:

"A computer program as recited in claim 18, further comprising the computer instructions that invalidate the digital authentication after determination that ticket the digital authentication ticket corresponds to the particular computer readable content (§ 0052)."

Claim Rejections – 35 USC § 103

16. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

Art Unit: 4194

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

17. Claims 5, 7-8, 12, 14-15, 17, and 20-22 are rejected under 35 U.S.C. 103(a) as being unpatentable over Chatani, et al. (EP 1229476) in view of Rowe et al. (US PG PUB 20020098888).

As to Claim 5, Chatani discloses the invention substantially as claimed. Chatani does not disclose “the operation of transmitting the digital authentication ticket from a game server to the payment server, the game server storing a plurality of digital authentication tickets”. Rowe discloses a process of transmitting a game service transaction confirmation to a transaction server (§ 0018-0020). It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Chatani to include the process disclosed by Rowe because this would allow the user to process a plurality of digital authentication tickets, thus increasing security.

As to Claim 7, Chatani discloses the invention substantially as claimed. Chatani does not disclose wireless transmittal of the digital authentication ticket from the client device to the computer system. Rowe discloses the wireless transmittal of a digital authentication ticket from the client device to the computer system (§ 0019-0020). It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Chatani to include the process disclosed by Rowe because this would allow the user to transmit a digital authentication ticket conveniently from the client device to the computer system.

As to Claim 8, Chatani discloses the invention substantially as claimed. Chatani does not disclose wireless transmittal of the digital authentication ticket from the payment server to the client device. Rowe discloses the wireless transmittal of a digital authentication ticket from the payment server to the client device (§ 0019-0020). It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Chatani to include the process disclosed by Rowe because this would allow the user to transmit a digital authentication ticket conveniently from the payment server to the client device.

As to Claim 12, see the discussion of Claim 5.

As to Claim 14, see the discussion of Claim 7.

As to Claim 15, see the discussion of Claim 8.

As to Claim 17, Chatani discloses the invention substantially as claimed. Chatani does not disclose transmittal of computer readable content from the game server to the computer system. Rowe discloses the wireless transmittal of computer readable content from a game server to a computer system (§ 0019-0020). It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Chatani to include the process disclosed by Rowe because this would allow the user to transmit computer readable content from the game server to the computer system, thus saving shipping costs for digital media.

As to Claim 20, see the discussion of Claim 12.

As to Claim 21, see the discussion of Claim 14.

As to Claim 22, see the discussion of Claim 15.

Conclusion

1. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.
2. Braitberg, et al. (US Patent 7,191,153) discloses in its Abstract: "(A media distribution system) which stores protected content is distributed to users without the need for payment at the time of media distribution. Payment can be performed at a later time in response to which content may be enabled, and/or users may selectively pay for, and receive enablement of, content such that only portions of content on given media may be accessible at a given time. Following the first enablement of content, access rights may be expanded or otherwise changed, e.g., in response to a second payment."
3. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ishmael Rudolph whose telephone number is (571) 270-3610. The examiner can normally be reached on Monday through Friday 7:30 am to 5:00 pm EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Charles Kyle can be reached on (571) 272-6746. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Ishmael Rudolph/
Examiner, Art Unit 4194

1/2/2008

/Charles R. Kyle/
Supervisory Patent Examiner, Art Unit 4194